THE HON'BLE SRI JUSTICE B. PRAKASH RAO
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 5449 OF 2006

DATE: 6-11-2006

Between:

Smt.K.Kanakamma …. Petitioner

And

1. The Commercial Tax Officer,
Gowliguda Circle, Abids Division,
Hyderabad & 3 others … Respondents

THE HON'BLE SRI JUSTICE B. PRAKASH RAO
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 5449 OF 2006

ORDER: (per Hon'ble Sri Justice Ramesh Ranganathan)

Aggrieved by the order of the A.P. Administrative Tribunal in O.A.8419 of 2005 dated 28.2.2006, in holding that the mother of the deceased government employee was not entitled to pension, the present writ petition is filed.

The Tribunal held that the respondents were not bound to take into account the provisions of the Hindu Succession Act while disbursing pension and disbursement of pension was governed by the A.P. Revised Pension Rules as well as other service Rules. The Tribunal held that the relief sought for in the O.A. is misconceived and accordingly dismissed the O.A.

Even before us, no provision under the A.P. Revised Pension Rules or any other Service Rules, governing government servants, whereunder the mother of a deceased government servant is entitled for pension, has been brought to our notice. In the absence of any statutory or other applicable provision in this regard, the order of the Tribunal cannot be faulted.

The writ petition is accordingly dismissed. No order as to costs.

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B.PRAKASH RAO,J

Date: 6-11-2006

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RAMESH RANGANATHAN,J